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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,852	01/21/2005	Lukas Kupper	DE 020226	6195

24737 7590 06/22/2007

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
SANEI, HANA ASMAT	

ART UNIT	PAPER NUMBER
2879	

MAIL DATE	DELIVERY MODE
06/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/521,852	KUPPER ET AL.	
	Examiner	Art Unit	
	Hana A. Sanei	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 April 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9 and 13-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *16 and 18-23* is/are allowed.

6)☒ Claim(s) *1-9,13-15 and 17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 June 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The Amendment, filed on 4/2/07, has been entered and acknowledged by the Examiner.

Cancellation of claims 10-12 has been entered.

Claims 1-9, 13-23 are pending in the instant application.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4, 6, 9, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsuda et al (US 2002/0063503 A1).

Regarding Claim 1, Tsuda teaches at least a first region which is at least partly permeable to infrared light and at least partly impermeable to visible light (40c, 40d, 40b, "infrared transmitting films," for blocking visible light and transmitting infrared light, [0043], see at least Fig. 8), and at least a second region which is wholly or partly permeable at least to visible light (area of 30 not coated with 40, bounded by edges 40c1, 40d1, 40b1), wherein the first region has an L-shaped cross-section (L shaped

cross-section is achieved by the cavity surrounding edges 40c1, 40d1, 40b1) including a first portion and a second portion, the first portion encircling the lamp fully substantially near a base of the lamp bulb (portion to the left of 40c1 and to the right of 40b1, Fig. 8) and the second portion extending along the lamp bulb (portion directly below 40d1).

Regarding Claims 2-4, Tsuda teaches that the first region has a filter coating (40c, 40d, 40b) that forms a semi-circular shell (portion directly below 40d1), which envelops the bulb (22, refer to Fig. 8).

Regarding Claim 6, Tsuda teaches that the filter coating (40) is provided on a shield (30, of Figs. 5-7). The term "shied" is broad and may be interpreted as Tsuda's # 30.

Regarding Claim 9, Tsuda teaches the lamp is constructed as a gas discharge lamp ([0010]).

Regarding Claim 14, Tsuda teaches that the first region (40) includes at least one extremity of the lamp and one side of the lamp (Fig. 8).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuda et al (US 2002/0063503 A1) in view of Kiesel (US 4801845).

Regarding Claim 5, Tsuda teaches the invention set forth above (see rejection in Claim 1 above) and further teaches an incandescent light source ([0044]). Tsuda fails to exemplify the use of two incandescent filaments, as Tsuda is silent regarding the number of filaments.

In the same field of endeavor, Kiesel teaches two incandescent filaments (6, 7, see at least Fig. 2) for halogen incandescent lamp structure as conventional in the art. Kiesel teaches the suitability of using a halogen incandescent lamp structure formed of a two incandescent filaments for the purpose of providing a dual-filament automotive-type lamp to have a high beam/low beam configuration for vehicular use and safety (Col. 3, lines 55-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the incandescent filament type, as disclosed by Kiesel, in the lamp of Tsuda in order to ensure a dual-filament automotive-type lamp to have a high beam/low beam configuration for vehicular use and safety and to choose from one of the filament types disclosed by Kiesel, since Kiesel teaches the suitability of using a halogen lamp formed of a two incandescent filaments and it has been held to be within the general skill of an artisan to select a known material on the basis of the intended use.

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuda et al (US 2002/0063503 A1) in view of Raago (US 3688147).

Regarding Claim 7, Tsuda teaches the invention set forth above (see rejection in Claim 1 above). Tsuda is silent regarding a means for safeguarding a neutral color impression within a white region. In the same field of endeavor of filters, Raago teaches a means for safeguarding a neutral color impression within a white region (blue-green filter, Col. 1, lines 56-58). Raago teaches this for the added benefit of eliminating the dull red glow inherently present in the lamp of Tsuda (Col. 1, lines 50-56). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add the means for safeguarding a neutral color impression within a white region, as disclosed by Raago, in the device of Tsuda in order to eliminate the dull red glow inherently present in the lamp of Tsuda.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuda et al (US 2002/0063503 A1) in view of Davies et al (US 20030209962 A1).

Regarding Claim 8, Tsuda teaches the invention set forth above (see rejection in Claim 1 above). Tsuda is silent regarding a means for reflecting infrared light arranged in a second region.

In the same field of endeavor, Davies teaches a means for reflecting infrared light arranged in a second region of the lamp bulb ([0007]). Davies teaches the reflecting means for the purpose of ensuring that less power is required to be supplied to the lamp in order to achieve the desired light output ([0007]).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add the reflecting means, as disclosed by Davies, to the second

region of Tsuda in order to ensure that less power is required to be supplied to the lamp in order to achieve the desired light output.

5. Claims 13, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuda et al (US 2002/0063503 A1) in view of Israel et al (US 6462465 B1).

Regarding Claim 13, Tsuda teaches the invention set forth above (see rejection in Claim 1 above). Tsuda fails to teach a shield that separates the first region and the second region.

In the same field of endeavor, Israel teaches a lamp (see at least Figs. 3-4) having a shield (22, longitudinal edges of 20) separating the first region (20, left most portion of 26) and the second region (24, light-transmissive portion, right most portion of 26), the shield allowing passage of the infrared light to the first region and blocking the white light (longitudinal edges 22 coated after cylinder 10 is divided, Col. 3, lines 14-19) in order to enhance the transmittance of a lamp (Col. 2, lines 1-7).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add the shield, as disclosed by Israel, in the lamp of Tsuda in order to enhance the transmittance of a lamp.

Regarding Claim 15, Tsuda teaches the invention set forth above (see rejection in Claim 1 above). Tsuda fails to teach the second region including a coating that reflects IR light.

In the same field of endeavor, Israel teaches a lamp (see at least Figs. 3-4) where the second region (24, light-transmissive portion, right most portion of 26) includes a coating that reflects the infrared light to the first region (reflectance of overlap

of 20 and 24 in direct contact, Fig. 4) in order to enhance the transmittance of a lamp (Col. 2, lines 1-7).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the second region, as disclosed by Israel, in the lamp of Tsuda in order to enhance the transmittance of a lamp.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuda et al (US 2002/0063503 A1) in view of Trigiani (US 6710636 B1).

Regarding Claim 17, Tsuda teaches the invention set forth above (see rejection in Claim 1 above) and further teaches that the light source radiates visible light, UV light, and infrared light ([0041], [0043]). Tsuda is silent regarding the first region additionally being at least partly permeable to UV light.

In the same field of endeavor of filters, Trigiani teaches a filter least partly permeable to UV light and infrared light and at least partly impermeable to visible light (Col. 2, lines 28-42). Trigiani teaches the filter for the purpose of ensuring a transmission efficiency of over 90% for the desired wavelengths, hence allowing the size and wattage of the lamp (Col. 2, lines 38-42).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the filter, as disclosed by Trigiani, to the second region of Tsuda in order to ensure a transmission efficiency of over 90% for the desired wavelengths, hence allowing the size and wattage of the lamp.

Allowable Subject Matter

A. Claim 16 is allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

The prior art of record teaches a headlight comprising a light source for providing source light including visible light, UV light and infrared light; a reflector configured to reflect the source light, the reflector having an upper sector for reflecting the source light downward to form a low beam, and a lower sector for reflecting the source light upward to form a high beam, the high beam having a higher direction than the low beam, a screen configured to be receive the high beam from the lower sector

However, the prior art of record neither shows nor suggests a motivation for modifying the screen configured to substantially pass the UV light and the infrared light and block the visible light as set forth in Claim 16.

B. Claim 18 is allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

The prior art of record teaches a headlight comprising a light source for providing source light including visible light and infrared light; a reflector configured to reflect the source light, the reflector having an upper sector for reflecting the source light downward to form a low beam, and a lower sector for reflecting the source light upward to form a high beam, the high beam having a higher direction than the low beam, a screen configured to be receive the high beam from the lower sector

However, the prior art of record neither shows nor suggests a motivation for modifying the screen configured to substantially pass the infrared light and block the visible light as set forth in Claim 18.

C. Claims 19-23 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

The prior art of record teaches a lamp radiating visible light and infrared light, having a lamp bulb comprising at least a first region which is at least partly permeable to infrared light and at least partly impermeable to visible light.

However, the prior art of record neither shows nor suggests a motivation for at least a second region which is permeable to blue and green light only as set forth in Claim 19.

Claims 20-23 are allowable because of their dependency status from claim 19.

Response to Arguments

Applicant's arguments filed on 4/2/07 have been fully considered but they are not persuasive.

A. In response to Applicant's arguments that Tsuda fails to disclose the first region having an L-shaped cross-section, the Examiner respectfully disagrees.

Examiner has essentially modified the rejection by no longer referring to the previous Figs. 1-2 of Tsuda, but now referring to Fig. 8 as the claims have been amended to include a modified scope of the claim. In Fig. 8, the Examiner is reasonably able to first region and the second region be directed to the shroud glass, 30, as the preamble does call for the "lamp bulb," the body of the claim does not require the first and the second regions to be "directly" formed on the lamp bulb.

For the reasons stated above, the rejection of the claims is deemed proper.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final

action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hana A. Sanei whose telephone number is (571)-272-8654. The examiner can normally be reached on Monday- Friday, 9 am - 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hana A. Sanei
Examiner

Joseph Williams
Primary Examiner